

**The Kentucky State Board for Proprietary Education
January 18, 2008**

A regular meeting of the Kentucky State Board for Proprietary Education was conducted January 18, 2008 at the Division of Occupations and Professions, 911 Leawood Drive, Frankfort, Kentucky.

Members Present

Dr. Steve Coppock, Chairman
Mr. Mark Gabis
Ms. Alison Cuentas
Ms. Lisa Bozarth
Ms. Jan Gordon
Mr. Chris St. John
Mr. Jason Rainey

Occupations and Professions

Gena S. Vance, Board Administrator
Wendy Satterly, Board Administration and
Support Section Supervisor
Susan Ellis, Fiscal Section Supervisor

Members Absent

Mr. Stephen Ellison
Dr. Stephen Meade

Others Present

Diane Fleming, Board Counsel/
Assistant Attorney General
Tom Barron, Board Inspector/Investigator

Guests

David Smith, Brown Mackie College
Glen Wilham, Lake Cumberland CDL School
Dale E. Lewis, Lake Cumberland CDL School
John Duff, Delta Career Academy
Kim Royalty, Nash Academy
Tricia Weixler-Williams, Becker CPA Review
Angie Woodward, KACCS
Adrienne Grizzell, KACCS

Dr. Coppock called the meeting to order at 1:13 p.m. and introductions were made.

Ms. Satterly advised the board that Mr. Gerald Hoppmann is the new division director of the Division of Occupations and Professions and as such, is the new Executive Director of the Board.

Mr. Rainey made a motion to approve the minutes from the October 26, 2007 meeting as amended second by Ms. Gordon. The motion carried.

Ms. Gordon made a motion to approve the financial statement July 1-December 31, 2007 second by Ms. Cuentas. The motion carried.

Board Counsel Report

Ms. Fleming advised the board the regulations went through and should go into effect in February 2008.

Ms. Satterly reviewed the Model Code of Ethics with the board members; this item will be deferred until the February 22, 2008 meeting.

Ms. Satterly reviewed Executive Order 2008-011 with the board advising them all out-of-state travel must be approved by the Secretary of the Finance and Administration Cabinet and all in-state travel must be approved by the Secretaries of the respective Executive Branch agencies. She also advised them they are strongly encouraged to carefully review the provisions of this Order and implement similar cost cutting measures set forth herein as a part of the effort of the government of the Commonwealth of Kentucky to immediately achieve greater efficiencies in the provision of state services and reductions and expenditures in light of the current condition of the budget of the Commonwealth.

New Schools Committee

Ms. Cuentas made a motion to deny the application submitted by American Construction Training, LLC Dothan, AL and also advise them they cannot advertise or recruit in the Commonwealth of Kentucky second by Ms. Gordon. The motion carried.

Ms. Cuentas made a motion to approve the application submitted by Becker Professional Review, Louisville, KY subject to a successful on-site inspection by the board's representative, a fire inspection, and a school calendar second by Mr. Rainey. The motion carried.

Ms. Cuentas made a motion to deny the application submitted by Hi Tech College, Louisville, KY and also advise them they cannot advertise or recruit in the Commonwealth of Kentucky second by Ms. Gordon. The motion carried.

Ms. Cuentas made a motion to defer the application submitted by Kaplan College, Cincinnati, OH for the \$900.00 contribution to the Student Protection Fund, fire inspection, School Personnel Forms and a school calendar second by Mr. Rainey. The motion carried.

Ms. Gordon made a motion to approve the motion submitted by New Horizons of Ft. Mitchell, Ft. Mitchell, KY subject to the school adjusting the application and/or submitting another agent application second by Ms. Bozarth. The motion carried.

Ms. Gordon made a motion to approve the application submitted by Northern Kentucky Real Estate College, Florence, Kentucky subject to a school catalog with the new school name, student contract and/or enrollment agreement with the new school name, and the application and fee to change the name of the school second by Mr. Gabis. The motion carried.

Ms. Gordon made a motion to exempt Redwood School & Rehab Center, Ft. Mitchell, KY from licensure since they are 501 (C), 3 second by Ms. Bozarth. The motion carried.

Ms. Gordon made a motion to exempt Training Pro, Hunt Valley, MD from licensure since they train their own employees second by Ms. Cuentas. The motion carried.

Ms. Gordon made a motion to defer the application submitted by Career WebSchool, Atlanta, GA since the application is not complete second by Ms. Bozarth. The motion carried.

New Programs Committee

Ms. Bozarth made a motion to approve the application submitted by Brown Mackie College, Ft. Mitchell, KY for Occupational Therapy Assistant (Associate Degree) second by Mr. Rainey. The motion carried.

Ms. Bozarth made a motion to approve the application submitted by Lockmasters Security Institute, Nicholasville, KY for Automotive Technician I (Diploma) subject to the school signing the School Personnel Forms second by Mr. Rainey. The motion carried.

Ms. Bozarth made a motion to approve the application submitted by MBA USA, Inc., Nicholasville, KY for Neutralization and Repair of GSA Approved Containers (Certificate) second by Mr. St. John. The motion carried.

Ms. Bozarth made a motion to approve the application submitted by MSA USA, Inc., Nicholasville, KY for GSA Approved Safe-Vault Technician Course (Certificate) second by Mr. Rainey. The motion carried.

Ms. Bozarth made a motion to approve the application submitted by Nash Academy, Lexington, KY for Professional Equine Program (Certificate) second by Mr. St. John. The motion carried.

Ms. Bozarth made a motion to approve the application submitted by Spencerian College, Lexington, KY for Clinical Laboratory Assistant (Diploma) second by Ms. Cuentas. The motion carried. Ms. Gordon recused herself.

Ms. Bozarth made a motion to approve the application submitted by Spencerian College, Lexington, KY for Medical Laboratory Technician (Associate Degree) second by Mr. St. John. The motion carried. Ms. Gordon recused herself.

Complaint Review Committee Report

#2000-020/2003-220 and 2004-160: Mr. Gabis made a motion to contact the students who attended Thoroughbred Truck School by certified return/receipt letter advising them they will receive \$500.00 from the Student Protection Fund for their loss; if they feel they are entitled to more they will be required to send additional documentation to the board for consideration second by Mr. St. John. The motion carried.

Mr. Gabis made a motion to accept the agreed order signed by Patriot Career Academy but to also incorporate the letter dated December 3, 2007 with the order second by Mr. St. John. The motion carried.

#2007-007: Mr. St. John made a motion to dismiss this complaint second by Ms. Gordon. The motion carried.

#2007-008: Mr. Gabis made a motion to dismiss this complaint without prejudice second by Mr. St. John. The motion carried.

#2007-009: Mr. Gabis made a motion to dismiss this complaint and have the board's inspector visit the school second by Mr. St. John. The motion carried.

#2007-110: Defer until February 2008 meeting.

#2007-111: Defer until February 2008 meeting.

Commercial Driver License Committee Report

The committee reviewed the draft curriculum Dr. Barron has been working on and also reviewed comments submitted by three (3) CDL schools.

The board reviewed pass/failure rates for CDL schools; the data received from the Kentucky State Police was from November and December 2007. Sgt. Bradley will have data for January 2008 at the February 2008 meeting; the board will look at the three-month pass/fail rate for the schools in February 2008 using November/December/January data.

The board reviewed advertising submitted to the committee for review; the committee reviewed the ad, and responded to the school by phone reminding them to run the ad in the training section of the newspaper, to add a disclaimer about drivers under the age of 18, and to advise current and prospective students that the \$3000.00 price is the cash price, the price for financing the training is \$6,400.00.

Old Business

Dr. Barron advised the board he would be meeting with Mr. Allen from ARC-Tech on Saturday, January 19, 2008.

Ms. Bozarth made a motion to authorize Ms. Fleming to send a cease and desist letter to Financial Strategies in Carmel, Indiana advising them they cannot advertise or recruit in the Commonwealth of Kentucky until they have submitted a complete application and it has been approved by the board second by Mr. St. John. The motion carried.

Ms. Bozarth made a motion to authorize Ms. Fleming to continue to send letters to Jackson Hewitt Tax Schools requesting if they are franchisees or corporate and to send the affidavit to sign it not corporate second by Mr. St. John. The motion carried.

Ms. Gordon made a motion to authorize Ms. Fleming and Dr. Barron to handle the H&R Block in the same manner as Jackson Hewitt Tax Schools second by Mr. Rainey. The motion carried

Additional Business

Dr. Coppock advised the board Ms. Shelton who was once a student at Kentucky College of Technology contacted the board requesting they review her school record and school catalog from the closed proprietary school for which she does not have a transcript. Dr. Coppock stated although the board cannot produce a transcript; he is going to review the material provided by Ms. Shelton and might be able to produce a letter for her by the next board meeting.

Ms. Gordon made a motion to go into Executive Session at 3:00 p.m. second by Ms. Bozarth. The motion carried.

Ms. Gordon made a motion to accept the final order as prepared by the hearing officer, second by Mr. St. John. The motion carried.

Mr. Rainey made a motion to go out of Executive Session at 3:06 p.m. second by Mr. St. John. The motion carried.

Next Meeting

The next board meeting is scheduled for Friday, February 22, 2008.

Approve Travel and Per Diem

Mr. Rainey made a motion to approve travel and per diem for member's attending today's meeting second by Mr. Gabis. The motion carried.

Adjournment

Having no further business to bring before the board, Ms. Cuentas made a motion to adjourn at 3:10 p.m. second by Ms. Gordon. The motion carried.

Stephen Coppock, Ed.D.

Approved: Dr. Steve Coppock, Chairman